



PUBLIC NOTICE

Federal Communications Commission
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Certifications for Digital Output Protection Technologies and Recording Methods to be Used in Covered Demodulator Products

Comment/Opposition Date: April 21, 2005

Reply to Opposition Date: May 2, 2005

By this Public Notice, the Commission announces the start of a twenty (20) day comment and opposition window regarding the following certifications for digital output protection technologies and recording methods:¹

Certifying Entity or Entities	Technology or Recording Method	Docket Number
DivXNetworks, Inc.	DivX DRM	MB 05-163

On November 4, 2003, the Commission issued an *Order and Further Notice of Proposed Rulemaking* establishing a redistribution control content protection system for digital broadcast television.² This system includes compliance and robustness rules for Covered Demodulator Products which permits digital broadcast television content to be output in one of several ways, including via digital outputs protected by an Authorized Digital Output Protection Technology or to an Approved Recording Method.³ The Commission also adopted an interim approval process for digital output protection technologies and recording methods.⁴ Section 73.9008(c)

¹ On August 24, 2004, the Commission released a public notice in MB Docket No. 04-298 announcing the start of a comment and opposition window regarding a certification for DivX DRM filed by DivXNetworks, Inc. ("DivX"). *Certifications for Digital Output Protection Technologies and Recording Methods to be Used in Covered Demodulator Products, Public Notice*, 19 FCC Rcd 16303 (2004). On March 11, 2005, DivX requested withdrawal of that certification and notified the Commission that it was filing a new certification. *See Letter from Tim Windsor, Director, CE Product Management, IC Technology, DivXNetworks, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission* (Mar. 11, 2005). By this *Public Notice*, the Commission announces the start of a comment and opposition window regarding the certification filed by DivX on March 11, 2005, which has been assigned a new docket number.

² *Digital Broadcast Content Protection, Order and Further Notice of Proposed Rulemaking*, 18 FCC Rcd 23,550 (2003).

³ *See* 47 C.F.R. §§ 73.9003(a), 73.9004(a).

⁴ *See* 47 C.F.R. § 73.9008.

details the timing and procedures related to the receipt of certifications under this process filed after the initial certification window.⁵ Comments and oppositions to any such certification must be received within twenty (20) days after the date of public notice of its filing.⁶

The Commission has not yet undertaken a substantive review of the certification identified above, makes no representation to the completeness thereof, and reserves the right to dismiss or take other appropriate action should the certification contain insufficient information to evaluate the appropriateness of the underlying digital output protection technology or recording method.⁷

When to file. Comments or oppositions must be filed during the relevant twenty (20) day window.

How to file. All comments or oppositions must be filed in the relevant docket(s) identified in this Public Notice. Comments or oppositions should have the primary caption “In the Matter of: Digital Output Protection Technology and Recording Method Certifications: DivX DRM.”

Where to file. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS) or by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket numbers are applicable, however, commenters must transmit one electronic copy of the comments to each docket. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form <your e-mail address>.” A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

⁵ 47 C.F.R. § 73.9008(c).

⁶ 47 C.F.R. § 73.9008(c)(1).

⁷ 47 C.F.R. § 73.9008(b)(2).

Subsequent filings. If an objection is raised with respect to a certification within the twenty (20) day opposition window, the certifying entity may file a reply within ten (10) days after the close of the twenty (20) day opposition window.⁸ Any reply must also be filed in the docket(s) identified in this Public Notice.

Copies of this Public Notice in accessible formats are available to persons with disabilities (Braille, large print, electronic files, audio format), by sending an email to fcc504@fcc.gov or by calling the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

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⁸ See 47 C.F.R. §§ 73.9008(b)(2)-(3).